

BEFORE THE TENNESSEE REGULATORY AUTHORITY

NASHVILLE, TENNESSEE

August 30, 2004 '04 AUG 30 PM 4 12

IN RE:

3 TN REGULATORY AUTHORITY
DOCKET ROOM

PETITION FOR EXEMPTION OF CERTAIN SERVICES) DOCKET NO.03-00391

AT&T COMMUNICATION OF THE SOUTH CENTRAL STATES, LLC'S
FIRST SET OF INTERROGATORIES (NOS. 1-2)
TO BELL SOUTH TELECOMMUNICATIONS, INC.

AT&T Communications of the South Central States, LLC ("AT&T"), pursuant to the Tennessee Regulatory Authority's Code Ann. § 65-4-118(c)(2)(A) and the Tennessee Rules of Civil Procedure, hereby serves its First Set of Interrogatories to BellSouth Telecommunications, Inc ("BellSouth").

DEFINITIONS

1. "BellSouth" means BellSouth Telecommunications, Inc., and its parents, subsidiaries, and affiliates, their present and former officers, employees, agents, representatives, directors, and all other persons acting or purporting to act on behalf of BellSouth Telecommunications, Inc.
2. The terms "you" and "your" refer to BellSouth.
3. "CLEC" means a "competitive local exchange carrier," as defined in 47 U.S.C. § 153(26), which is not an "incumbent local exchange carrier" as defined in 47 U.S.C. § 251(h).
- 4 "AT&T" means AT&T Communications of the South Central States, LLC, its subsidiaries and affiliates, their present and former officers, employees, agents, directors, and all other persons acting or purporting to act on behalf of AT&T

5 The term "person" means any natural person, corporation, corporate division, partnership, other unincorporated association, trust, government agency, or entity

6. The term "document" shall have the broadest possible meaning under applicable law. "Document" means every writing or record of every type and description that is in the possession, custody or control of BellSouth, including, but not limited to, correspondence, memoranda, drafts, workpapers, summaries, stenographic or handwritten notes, studies, publications, books, pamphlets, reports, surveys, minutes or statistical compilations, computer and other electronic records or tapes or printouts, including, but not limited to, electronic mail files; and copies of such writings or records containing any commentary or notation whatsoever that does not appear in the original. The term "document" further includes, by way of illustration and not limitation, schedules, progress schedules, time logs, drawings, computer disks, charts, projections, time tables, summaries of other documents, minutes, surveys, work sheets, drawings, comparisons, evaluations, laboratory and testing reports, telephone call records, personal diaries, calendars, personal notebooks, personal reading files, transcripts, witness statements and indices.

7. The term "communication" means any oral, graphic, demonstrative, telephonic, verbal, electronic, written or other conveyance of information, including, but not limited to, conversations, telecommunications and documents.

8. The term "referring or relating to" means consisting of, containing, mentioning, suggesting, reflecting, concerning, regarding, summarizing, analyzing, discussing, involving, dealing with, emanating from, directed at, pertaining to in any way, or in any way logically or factually connected or associated with the matter discussed.

9. "And" and "or" as used herein shall be construed both conjunctively and disjunctively and each shall include the other whenever such construction will serve to bring within the scope

of these discovery requests any information that would otherwise not be brought within their scope.

10 "Affiliate" or "affiliated" means an entity that directly, or indirectly through one or more intermediaries, controls, or is controlled by, or is under common control with, another entity

11. The singular as used herein shall include the plural, and vice versa, and the masculine gender shall include the feminine and the neuter.

12. "Identify" or "identifying" or "identification" when used in reference to a natural person means to state:

- a) the full legal name of the person;
- b) the name, title and employer of the person at the time in question;
- c) the present or last known employer of such person;
- d) the present or last known home and business addresses of the person; and
- e) the present home address

13. "Identify" or "identifying" or "identification" when used in reference to a person other than a natural person means to state:

- a) the full name of the person and any names under which it conducts business,
- b) the present or last known address of the person; and
- c) the present or last known telephone number of the person.

14. "Identify" or "identifying" or "identification" when used in reference to a document means to provide with respect to each document requested to be identified by these discovery

requests a description of the document that is sufficient for purposes of a request to produce or a subpoena duces tecum, including the following:

- a) the type of document (e.g., letter, memorandum, etc.);
- b) the date of the document;
- c) the title or label of the document;
- d) the Bates number or other identifier used to number the document for use in litigation,
- e) the identity of the originator;
- f) the identity of each person to whom it was sent;
- g) the identity of each person to whom a copy or copies were sent;
- h) a summary of the contents of the document;
- i) the name and last known address of each person who presently has possession, custody or control of the document; and
- j) if any such document was, but is no longer, in your possession, custody or control or is no longer in existence, state whether it. (1) is missing or lost; (2) has been destroyed; or (3) has been transferred voluntarily or involuntarily, and, if so, state the circumstances surrounding the authorization for each such disposition and the date of such disposition.

15. "Identify," "identifying" or "identity" when used in reference to a communication means to state the date of the communication, whether the communication was written or oral, the identity of all parties and witnesses to the communication, the substance of what was said and/or transpired and, if written, the identity of the document(s) containing or referring to the communication

GENERAL INSTRUCTIONS

1. If you contend that any response to any Interrogatory may be withheld under the attorney-client privilege, the attorney work product doctrine or any other privilege or basis, please state the following with respect to each such response in order to explain the basis for the claim of privilege and to permit adjudication of the propriety of that claim:

- a) the privilege asserted and its basis;
- b) the nature of the information withheld, and
- c) the subject matter of the document, except to the extent that you claim it is privileged.

2. These discovery requests are to be answered with reference to all information in your possession, custody or control or reasonably available to you. These discovery requests are intended to include requests for information, which is physically within your possession, custody or control as well as in the possession, custody or control of your agents, attorneys, or other third parties from which such documents may be obtained

3. If any Interrogatory cannot be answered in full, answer to the extent possible and specify the reasons for your inability to answer fully

4. These interrogatories are continuing in nature and require supplemental responses should information unknown to you at the time you serve your responses to these interrogatories subsequently become known.

5. For each Interrogatory, provide the name of the company witness(es) or employee(s) responsible for compiling and providing the information contained in each answer.

INTERROGATORIES

1. For both BellSouth's intrastate and interstate High Capacity (a.k.a. BellSouth SPA High Capacity) service at a DS1 level (1 544 Mbps) please provide the tariffed prices for these services as of the following dates

- a) January 1, 1999;
- b) June 30, 1999,
- c) January 1, 2000,
- d) June 30, 2000,
- e) January 1, 2001;
- f) June 30, 2001;
- g) January 1, 2002;
- h) June 30, 2002;
- i) January 1, 2003;
- j) June 30, 2003;
- k) January 1, 2004, and
- l) June 30, 2004.

2. Does BellSouth take the position that High Capacity DS1 service is a direct and equal substitute for Primary Rate Interface ISDN service? If other than an unqualified no, describe with specificity how PRI ISDN features and functionalities can be provided via a standard High Capacity DS1 channel.

Respectfully submitted,

BOULT, CUMMINGS, CONNERS & BERRY, PLC

By: _____

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CERTIFICATE OF SERVICE

I hereby certify that on August 30, 2004, a copy of the foregoing document was served on the parties of record, via the method indicated:

☐ Hand
☐ Mail
☐ Facsimile
☐ Overnight
☐ Electronic

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